

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ECORSE BROWNFIELD  
REDEVELOPMENT AUTHORITY and  
LARRY B. SALISBURY,

Plaintiffs,

CASE NO. 08-10753  
HON. LAWRENCE P. ZATKOFF

v.

ESLY B. WILLIAMS, JR.,  
CITY OF ECORSE,  
HERBERT WORTHY,  
TIMOTHY SASSAK, and  
DENISE HUBBLE,

Defendants.

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**ORDER DISMISSING PLAINTIFFS' STATE-LAW CLAIMS**

Plaintiffs filed their Complaint on February 22, 2008. Plaintiffs' Complaint contains six counts. Due to apparent typographical errors, these counts are misnumbered in the Complaint. Accordingly, the Court renumbers the counts as follows to reflect the order in which they appear in the Complaint:

|           |   |
|-----------|---|
| Count I   | Tortious Interference with Ability to Perform Statutory Mission and Contract;             |
| Count II  | Conspiracy to Violate Fourth Amendment;   |
| Count III | Violation of Right to be Free from Unreasonable Search and Seizure;                       |
| Count IV  | Conversion and Conspiracy to Convert Records and Files Belonging to Brownfield Authority; |
| Count V   | Violation of 42 U.S.C. § 1983; and  |
| Count VI  | Fraudulent Misrepresentation.   |

The Court has subject-matter jurisdiction over Counts II, III, and V because they arise under

federal law. 28 U.S.C. § 1331. Counts I, IV, and VI, however, are based on state law. Although the Court has supplemental jurisdiction over state-law claims pursuant to 28 U.S.C. § 1367(a), the Court may decline to exercise supplemental jurisdiction if there are “compelling reasons for declining jurisdiction.” *Id.* § 1367(c)(4). The Court declines to exercise supplemental jurisdiction over Plaintiffs’ state-law claims in this matter. The Court finds that the contemporaneous presentation of Plaintiffs’ parallel state claims for relief will result in the undue confusion of the jury. *See id.* *See also Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994).

Accordingly, IT IS ORDERED that Plaintiffs’ state-law claims (Counts I, IV, and VI) are hereby DISMISSED without prejudice. The Court retains jurisdiction over Plaintiffs’ federal claims (Counts II, III, and V).

IT IS SO ORDERED.

s/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: March 10, 2008

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on March 10, 2008.

s/Marie E. Verlinde  
Case Manager  
(810) 984-3290